

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

BRIAN ANTHONY MCKINNEY,
ID # 1603588,

Petitioner,

v.

RICK THALER, Director, TDCJ-CID,

Respondent.

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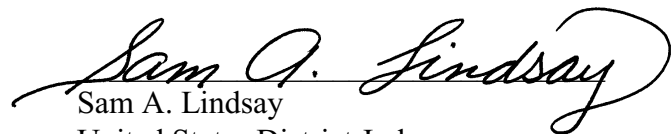
Civil Action No. **3:12-CV-1105-L-BH**

ORDER

This habeas case was brought pursuant to 28 U.S.C. § 2254, on April 10, 2012. On the same date, Petitioner Brian Anthony McKinney filed a “Motion [Under] Federal Rule Civil Procedure [] 60(B)(4).” The case was referred to Magistrate Judge Irma Carrillo Ramirez, who entered Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) on April 12, 2012, recommending that Petitioner’s Rule 60(B)(4) motion be denied. No objections were filed to the Report.

Having reviewed the pleadings, file, and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **denies** Petitioner’s “Motion [Under] Federal Rule Civil Procedure [] 60(B)(4).”

It is so ordered this 4th day of May, 2012.


Sam A. Lindsay
United States District Judge